

REMARKS

The Applicant thanks the Examiner for the careful and thoughtful examination of the present application. By way of summary, claims 1-29 were pending in this application. In the present amendment, the Applicant has canceled claims 7 and 20, amended claims 1-6, 8-19 and 21-29 and added new claims 30 and 31. Accordingly, claims 1-6, 8-19 and 21-31 remain pending for consideration.

Response to Claim Objection

The Examiner objected to claim 1 as reciting “having and edge arc” rather than “having an edge arc.” The Applicant thanks the Examiner for highlighting this typo and has made amendments to claim 1 that obviate this objection. The Applicant therefore requests that the objection be withdrawn.

Rejection Of Claims 2-9, 11-14, 17-20, 27 and 28 Under 35 U.S.C. § 112, Second Paragraph

The Examiner made a number of rejections to the above claims based on antecedent basis and indefiniteness. Applicant has amended all of the above claims to clarify the claim language and has addressed all of the Examiner’s concerns presented on pages 2 and 3 of the Office Action. These claim clarifications are not made for patentability purposes, and it is believed that the claims would satisfy the statutory requirements for patentability without the entry of such clarifications. Withdrawal of the rejections of these claims under 35 U.S.C. § 112, second paragraph is therefore requested.

Allowable Subject Matter - Claims 11, 20 and 23

Applicant also thanks the Examiner for the indication of allowable subject matter in claims 11, 20 and 23. Applicant has amended claim 11 to independent form to include certain limitations of previously pending claims 1 and 7. Applicant has also amended claim 17 to include certain limitations of claim 20, and Applicant has amended claim 23 to independent form to include certain limitations of claim 17.

Applicant respectfully submits that amended independent claims 11, 17 and 23 are now in condition for allowance.

Rejection of Claim 1 Under 35 U.S.C. § 102(b)

The Office Action rejected claim 1 under 35 U.S.C. § 102 as being anticipated by U.S. patent no. 5,215,441, issued to Evans et al. (the Evans patent). The Applicant respectfully traverses this rejection because the Evans patent fails to identically teach every element of the claim. *See M.P.E.P. § 2131* (stating that in order to anticipate a claim, a prior art reference must identically teach every element of the claim).

In particular, claim 1 now recites a “wind power plant rotor blade tip for a wind power plant rotor blade.” The Evans patent, which relates solely to air conditioning systems, does not teach or suggest the claimed configuration for a wind power plant rotor blade tip. Indeed, the teachings of the Evans patent would not be relevant in a wind power plant environment.

For at least these reasons, the rejection of amended claim 1 as anticipated by the Evans patent is improper.

New Claims

New claims 30 and 31 have been added to more fully define the Applicant’s invention and are believed to be fully distinguished over the cited references.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Application No. 10/541,146
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All of the claims remaining in the application are now clearly allowable.
Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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